

§ 1830.4

Counsel at 1730 M Street, NW., Suite 201, Washington, DC 20036-4505, and be clearly and prominently marked "Privacy Act Request." Requests for amendment should include identification of records together with a statement of the basis for the requested amendment and all available supporting documents and materials. Requests for amendment shall be acknowledged not later than 10 days (excluding Saturdays, Sundays, and legal holidays) after receipt and a determination on the request shall be made promptly.

[54 FR 47344, Nov. 14, 1989, as amended at 59 FR 64844, Dec. 16, 1994; 65 FR 81325, Dec. 26, 2000]

§ 1830.4 Appeals.

When a request for access or amendment has been denied, in whole or in part, the requester shall be advised of his right to appeal to the Special Counsel or the Special Counsel's designee. The requester shall submit his appeal in writing within 30 days of the denial. A final determination on the appeal shall be issued within 30 days (excluding Saturdays, Sundays, and legal holidays) after receipt. Where unusual circumstances prevent a determination within that time period, the time for a determination may be extended an additional 30 working days.

§ 1830.5 Exemptions.

The Office of Special Counsel will claim exemptions from the provisions of the Privacy Act at subsections (c)(3) and (d) as permitted by subsection (k) for records subject to the Act that fall within the category of investigatory material described in paragraphs (2) and (5) and testing or examination material described in paragraph (6) of that subsection. The exemptions for investigatory material are necessary to prevent frustration of inquiries into allegations of prohibited personnel practices or political activity and to protect identities of confidential sources of information. The exemption for testing or examination material is necessary to prevent the disclosure of information which would potentially give an individual an unfair competitive advantage or diminish the utility of established examination procedures. The

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Office of Special Counsel also reserves the right to assert exemptions for records received from another agency that could be properly claimed by that agency in responding to a request and the Office of Special Counsel may refuse access to information compiled in reasonable anticipation of a civil action or proceeding.

PART 1840—SUBPOENAS

AUTHORITY: 5 U.S.C. 1212(e).

§ 1840.1 Service of subpoenas by mail.

In addition to all other methods of authorized service, an Office of Special Counsel subpoena may be served by mailing a copy to the person at his or her residence or place of business by certified or registered mail.

[54 FR 47345, Nov. 14, 1989]

PART 1850—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE OFFICE OF SPECIAL COUNSEL

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- 1850.101 Purpose.
- 1850.102 Application.
- 1850.103 Definitions.
- 1850.104–1850.109 [Reserved]
- 1850.110 Self-evaluation.
- 1850.111 Notice.
- 1850.112–1850.129 [Reserved]
- 1850.130 General prohibitions against discrimination.
- 1850.131–1850.139 [Reserved]
- 1850.140 Employment.
- 1850.141–1850.148 [Reserved]
- 1850.149 Program accessibility: Discrimination prohibited.
- 1850.150 Program accessibility: Existing facilities.
- 1850.151 Program accessibility: New construction and alterations.
- 1850.152–1850.159 [Reserved]
- 1850.160 Communications.
- 1850.161–1850.169 [Reserved]
- 1850.170 Compliance procedures.
- 1850.171–1850.999 [Reserved]

AUTHORITY: 29 U.S.C. 794.

SOURCE: 53 FR 25881 and 25885, July 8, 1988, unless otherwise noted. Redesignated at 54 FR 47345, Nov. 14, 1989.